

REMARKS

Claims 1, 2, 4-12 and 14-15 are all the claims pending in the application. Applicants amend claims 1, 8, 10-12 and 14.

Claim rejections under 35 U.S.C. § 103

Claims 1, 2, 4, 5, 7-9, 12, 14 and 15 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chimoto et al. (US Patent No. 5,838,383, hereinafter “Chimoto”) in view of Schindler et al. (US Patent No. 6,516,467; hereinafter “Schindler”) and Battini et al. (US Patent No. 6,919,792; hereinafter “Battini”). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Chimoto in view of Schindler, Battini and Trovato et al. (US Patent No. 6,469,742; hereinafter “Trovato”). Claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Trovato in view of Whetsel (US Patent No. 5,497,379), Chimoto and Battini. Applicants traverse the rejection for at least the following reasons.

Claims 1, 2, 12 and 14

Chimoto is directed to a multimedia television receiver which has a plurality of decoder modules connected by a bus for decoding signal of various types, in which the decoder modules are selected in accordance with the type of signal to be decoded (column 2, lines 56-60). Chimoto disclose that when a user selects a receipt of NTSC analog TV signal, the NTSC module 303 receives and processes NTSC analog TV signals. When the user operates the remote controller to receive broadcasting satellite (BS) signals, modules 304, 305, 307 and 308 receive and process BS signals. Therefore, the modules 303-308 receive and process signals based on the user selection.

On the other hand, Battini is directed to a method of controlling domestic appliances, wherein each of the appliances has an associated descriptor comprising a set of HTML pages. The descriptors are loaded, processed and displayed (column 1, lines 50-62). A user interacts with the objects displayed on the screen and the interaction is converted into a command for controlling the appliance (column 6, lines 10-17).

Applicants respectfully submit that the Examiner's conclusion of obviousness is based on improper hindsight reasoning.

Whether a motivation to combine prior art references has been demonstrated is a question of fact. *Winner Int'l Royalty Corp. v. Wang*, 202 F.3d 1340, 1348 53 USPQ2d 1580, 1586 (Fed. Cir. 2000). In making such determination the law requires some teaching, suggestion or reason coming from the prior art itself, otherwise, the conclusion to be reached is that the motivation is predicated on hindsight. *Gambro Lundia AB v. Baxter Healthcare Corp.*, 110 F. 3d 1573, 1579, 42 USP2d 1378, 1383 (Fed. Cir. 1997). In particular, there must be some showing of the obviousness of the claim as a whole, not the discrete parts to establish *prima facie* obviousness.

For instance, the Examiner's given reason for motivation to combine the teachings of Chimoto and Battini is to provide a more efficient means of controlling devices by using a well know and established language. Chimoto discloses that the modules 303-308 are merely provided to receive and process different signals based on a user selection. Therefore, at the time the invention was made, it would have neither been obvious nor necessary to modify the teachings to Chimoto to incorporate descriptors with HTML pages of each for each of the modules to be on screen as taught by Battini. That is, it would not have been obvious to modify the modules that are provided for decoding processing signals to include descriptors that will be

displayed on a screen. In fact, Chimoto already discloses that a user can select between different broadcast signals and based on the selection the corresponding module receives and decodes the signal (column 8, lines 55-67).

Therefore, Applicants respectfully submit that the combination of Chimoto and Battini references is hindsight because there is no motivation to combine the references.

Furthermore, Applicants respectfully submit that Chimoto, Schindler and Battini, alone or in combination do not disclose “wherein if a command in a form of web message corresponding to menu items from the extension board is received, the main board unit drives a web browser to display the received menu items on a screen”

In view of the above, Applicants respectfully submit that claims 1, 2, 12 and 14 are allowable over the cited reference.

Claims 4, 5, 7-9

Claims 4, 5, 7-9 depend from one of the independent claims that have been shown to be allowable, and therefore they should be allowable at least by virtue of their dependency.

Claim 6

Applicants respectfully submit that since claim 6 depends from claim 1 and since Trovato does not cure the above noted deficiency with respect to claim 1, claim 6 should be allowable at least by virtue of its dependency.

Claims 10 and 11

Applicants respectfully submit that it would not have been obvious to combine the Battini with Chimoto for at least the reasons given with respect to claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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